

Serial No. 09/890,143
Docket No. SHIG 19990241
Amendment G Under Rule 116
And Interview Summary

REMARKS

The claims have been amended to address the various language objections raised by the Examiner. No new matter has been entered.

Turning to the double patenting rejection, as discussed in Applicant's several telephone conversations with the Examiner, held April 15, 2005, the subject Application and later filed co-pending Application Serial No. 10/241,959 (the '959 Application) are not commonly owned. That is to say, the subject Application is assigned to Tohoku Techno Arch Co., Ltd., while the later filed '959 Application is assigned to Nikon Corporation. Thus, while the subject Application and the '959 Application may share a common inventor, they are not "commonly owned". Accordingly, a terminal disclaimer is not appropriate.

On the other hand, the subject Application is a 371 of PCT/JP00/05571, filed August 18, 2000, which in turn has a priority claim, via JP11-337955, of November 29, 1999. Thus, the subject Application pre-dates the '959 Application by several years. Accordingly, the Examiner should withdraw the provisional double patenting rejection against the subject Application and permit the subject Application to issue as a patent (MPEP 804(1)(B)).

The foregoing amendment makes no claim changes that would require further search by the Examiner. The only claim changes made were those proposed by the Examiner. Accordingly, entry of the foregoing amendment, and allowance of the Application are respectfully requested.

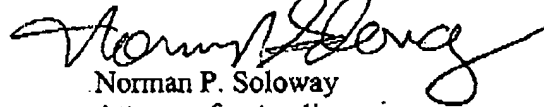
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In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION PURSUANT TO 37 CFR 1.6(d)

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office, Attn. Examiner Chih Cheng G. KAO at number 703-872-9306 on April 22, 2005.

By 

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